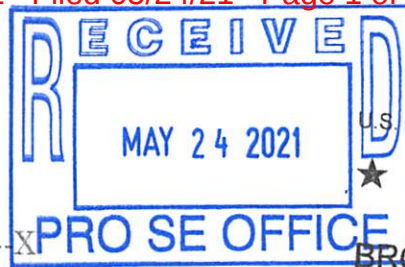


ORIGINAL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK



FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ MAY 24 2021 ★
BROOKLYN OFFICE

JAKUB MADEJ, : 1:21-cv-01894 (WFK) (SJB)
Plaintiff, :
v. : MOTION FOR DEFAULT
SYNCHRONY FINANCIAL, : JUDGMENT BY CLERK
Defendant. : Fed. R. Civ. P. 55(b)(1)

-----X
TO: Douglas C. Palmer, Clerk of Court, Eastern District of New York

Please enter default judgment against defendant Synchrony Financial in the amount of \$1,144,417 under Federal Rule of Civil Procedure 55(b)(1).

Synchrony is in default for not appearing. No counsel appeared for Synchrony by May 19, when the time allowed for Synchrony to plead or defend expired. Synchrony is not an infant nor an incompetent person nor in the military. The claim sought herein is for a sum certain, justly due and owing, and specifically computed in the complaint. Synchrony's liability is clear under the facts alleged, which are now deemed admitted. And the costs sought to be taxed have been actually incurred in the action. Plaintiff is now entitled to default judgment against Synchrony under Federal Rules of Civil Procedure 55(b)(1).

The amount due is shown by affidavit. A proposed judgment is enclosed. The clerk may enter default and default judgment concurrently on the same day¹.

Dated: May 24, 2021.
New York, NY

Respectfully submitted,
By: /s/ Jakub Madej
Jakub J. Madej
415 Boston Post Rd Ste 3-1102

¹ See, e.g., *FDIC v. Spartan Mining Co.*, 96 F.R.D. 677, 679 (S.D.W. Va. 1983) (denying motion to set aside clerk's default and default judgment entered together), *aff'd*, 731 F.2d 1134 (4th Cir. 1984).

Milford, CT 06460
T: (203) 928-8486
F: (203) 902-0070
E: j.madej@lawsheet.com

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
JAKUB MADEJ, : 1:21-cv-01894 (WFK) (SJB)
 :
 Plaintiff, :
 :
 v. : **AFFIDAVIT OF AMOUNT DUE**
 :
 SYNCHRONY FINANCIAL, :
 :
 Defendant. :
-----X

I, Jakub J. Madej, declare as follows:

1. I am plaintiff in this action. I am over 18 years of age.
2. The complaint filed in this action alleges specific facts – which are deemed admitted by virtue of Synchrony’s default – that establish Synchrony’s liability for 572 willful violations of Telephone Consumer Protection Act of 1991, 47 U.S.C. § 227. No sum sought in this judgment has been paid.
3. Costs of suit necessarily incurred in this action consist of the filing fee of \$402 paid directly to the Clerk of Court, and the mailing costs of \$15.
4. The total amount due therefore consists of \$1,144,000 and costs of suit of \$417, for a total judgment requested of \$1,144,417.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 24, 2021
New York, NY

Respectfully submitted,
By: /s/ Jakub Madej
Jakub J. Madej
415 Boston Post Rd Ste 3-1102
Milford, CT 06460
T: (203) 928-8486
F: (203) 902-0070
E: j.madej@lawsheet.com

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
JAKUB MADEJ, : 1:21-cv-01894 (WFK) (SJB)
 :
 Plaintiff, :
 :
 v. : **AFFIDAVIT OF MAILING**
 :
 SYNCHRONY FINANCIAL, : Local Civil Rule 55.2(b)
 :
 Defendant. :
-----X

I, Jakub J. Madej, declare as follows:

1. I am plaintiff in this action. I am over 18 years of age.
2. I submit this affidavit in accordance with Local Civil Rule 55.2(b).
3. On May 24, 2021, I filed a motion for clerk's entry of default judgment under Federal Rule of Civil Procedure 55(b)(1).
4. Concurrently with that filing, and also on May 24, 2021, I sent all papers submitted to the Court in connection with that motion by first-class mail to:

Synchrony Financial
777 Long Ridge Road
Stamford, CT 06905

5. I obtained that address from Synchrony's most recent 10-Q filing with the Securities and Exchange Commission.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 24, 2021
New York, NY

Respectfully submitted,
By: /s/ Jakub Madej
Jakub J. Madej
415 Boston Post Rd Ste 3-1102
Milford, CT 06460
T: (203) 928-8486
F: (203) 902-0070
E: j.madej@lawsheet.com

★ FILED ★

MAY 24 PM 4:30

U.S. DISTRICT COURT
E.D.N.Y.

BROOKLYN OFFICE

★ MAY 24 2021 ★
U.S. DISTRICT COURT E.D.N.Y.
IN CLERK'S OFFICE

BROOKLYN OFFICE



PLEASE DOCKET

IN 21-cv-1884